

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COURVOISIER SIMS,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

8:24CV302

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Petitioner filed a Petition for Writ of Habeas Corpus, [Filing No. 1](#), on August 1, 2024. On that same date, the Clerk of Court entered a text notice of deficiency advising Petitioner that his Petition was unsigned and therefore deficient. Filing No. 2 (text notice of deficiency). Upon further review, the Court determines that the text notice of deficiency was entered in error as Petitioner did sign the petition. See [Filing No. 1 at 27](#). Petitioner, thus, does not need to take any action regarding the text notice of deficiency.

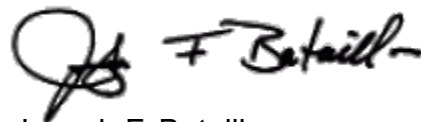
While Petitioner did sign his Petition, he failed to include the \$5.00 filing fee. Petitioner has the choice of either submitting the \$5.00 fee to the Clerk's office or submitting a request to proceed in forma pauperis. If Petitioner chooses to do the latter, the enclosed pauper's forms should be completed and returned to this Court. Failure to take either action within 30 days will result in the Court dismissing this case without further notice to Petitioner.

IT IS THEREFORE ORDERED that:

1. Petitioner is directed to submit the \$5.00 fee to the Clerk's office or submit a request to proceed in forma pauperis within 30 days. Failure to take either action will result in dismissal of this matter without further notice.
2. The Clerk of the Court is directed to send to Petitioner the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
3. The Clerk of the Court is directed to set a pro se case management deadline in this matter with the following text: **September 4, 2024**: Check for MIFP or payment.
4. The Clerk of the Court is further directed to terminate the deficiency deadline associated with the text notice of deficiency, Filing No. 2, as the petition is signed.

Dated this 5th day of August, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge